

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:16-cv-00656**

MICHAEL TINSLEY)	
)	
Plaintiff,)	
)	
v.)	
)	
CITY OF CHARLOTTE,)	
)	
Defendant.)	

**PLAINTIFF'S SUPPLEMENTAL PETITION FOR AWARD OF ATTORNEYS' FEES
AND COSTS PURSUANT TO 42 U.S.C. §2000e-5(k)**

Plaintiff, Michael Tinsley, by and through his undersigned counsel, respectfully moves this Court for an order awarding costs, expenses and attorneys' fees. In support of his petition, Plaintiff shows the following:

1. Plaintiff retained Geraldine Sumter and Ferguson, Chambers & Sumter, P.A. to represent him in connection with his claims against the Charlotte-Mecklenburg Police Department, City of Charlotte in December, 2013.
2. Plaintiff initiated this action on July 26, 2016, alleging that Defendant had been discriminated against by disciplinary action and his termination on the basis of race and sex, in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.*, as amended, and 42 U.S.C. Section 1983.
3. This matter was called for trial on March 19, 2019. A jury returned a verdict in Plaintiff's favor on his sex discrimination claim and awarded Plaintiff \$125,000.00 in compensatory damages. As a result of this verdict and the Court's Order on equitable relief, the

Plaintiff is the prevailing party in this matter and is entitled to an award of costs and attorneys' fees pursuant to 42 U.S.C. §1988 and Title VII of the Civil Rights Act of 1964.

4. In support of his petition, Plaintiff has attached as Exhibit C to his Supplemental Memorandum in Support of the Petition for Attorneys' Fees, Expenses and Costs, the Declaration of Geraldine Sumter who has served as counsel from December, 2013 to the present. Ms. Sumter has expended over 600 of hours on this matter.

5. A copy of the firm's computerized billing records from May 15, 2019 through July 30, 2019 has been attached as Exhibit D to the Memorandum in support of this petition. These records detail the time expended by Ms. Sumter, the tasks performed and the date said tasks were performed. Since the original Petition for Attorneys' Fees was filed on May 14, 2019, Ms. Sumter has expended an additional 35 hours on this matter.

6. As the attached Exhibit C shows, Plaintiff seeks additional attorneys' fees in the amount of \$15,750.00 (representing 35 hours at \$450 per hour).

7. Mr. Tinsley further seeks reimbursement for the costs expended in this matter, including the payment of costs for copying in the amount of \$27.80. A copy of the firm's accounting of expenses and costs associated with the litigation of the Plaintiff's case is attached as Exhibit C.

Respectfully submitted, this 30th day of July, 2019.

/s/Geraldine Sumter

N.C. State Bar No. 11107

Ferguson Chambers & Sumter, P.A.

309 East Morehead Street, Suite 110

Charlotte, NC 28202

(704) 375-8461 – Telephone

(980) 938-4867 – Facsimile

gsumter@fergusonsumter.com

Attorney for Plaintiff